



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145b)
Post Office Box 6898
Elmendorf AFB, Alaska 99506-6898

PUBLIC NOTICE DATE: 15 August 2003
EXPIRATION DATE: 15 September 2003
REFERENCE NUMBER: O-1978-0272
WATERWAY NUMBER: Wrangell Narrows 139

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Petersburg Shipwrights, Incorporated, Post Office Box 378, Petersburg, Alaska 99833.

LOCATION: Eastern shore of Wrangell Narrows, just north of the Alaskan Marine Highway System Ferry Terminal, in Petersburg, Alaska, section 33, T. 58 S., R. 79 E., Copper River Meridian, latitude 56 48' 27" N., longitude 132 58' 15" W.

WORK: The applicant proposes to expand and improve an existing ship repair operation as follows:

- Dredge 7,000 cubic yards (cy) of material from 1.0 acre of area below the high tide line, to a depth of -12 MLLW;
- Place 38,000 cy of fill material in 1.3 acre of area below the high tide line (7000 cy confined dredge spoils; 28,000 cy of commercial shot rock fill and 3,000 cy of riprap);
- Construct two 10-foot by 100-foot pile supported piers;
- Construct a 20-foot by 100-foot crane wharf;
- Construct a 12-foot by 70-foot replacement float and gangway;
- Construct a 450-foot long timber-faced retaining wall;
- Construct a concrete wash down pad with drain collection system;
- Construct an office store addition;
- Construct a pump house;
- Retain and relocate an unpermitted floating boat storage building (32-foot by 58-foot);
- Relocate an unpermitted woodwork shop onto the fill footprint;
- Relocate the shipwright's office building on the fill footprint;
- Retain an unpermitted floating metal fabrication shop (48-foot by 57.5-foot); and,
- Remove the floating dry dock.

PURPOSE: To expand and improve a ship repair operation that would accommodate access to the marine haul-out facility by sizeable vessels during high tide. The fill area would accommodate as many as five vessels at one time.

ADDITIONAL INFORMATION: The following existing facilities were authorized under Department of the Army permits as follows:

- 2-1978-0272, Wrangell Narrows 139: Issued to Dave Ellis on 9/7/79 to "retain and preserve two existing bulkheads and a 8,000 cubic yard fill and to construct additional facilities consisting of a pile-supported building, dock, float and ramp, marine railway and bulkhead extension".
- M-1978-0272, Wrangell Narrows 139: Issued to Dave Ellis on 7/21/81 to relocate the 15' X 75' float, the 100-foot approach, the 50-foot ramp, and to relocate and extend the railway. This relocation work was never done.
- Permits were transferred to Petersburg Shipwrights on 7/20/87.
- N-1978-0272, Wrangell Narrows 139: Issued to Petersburg Shipwrights on 7/28/87 for "Placement of 14 steel piling to provide a foundation for a 50' X 120', 65' high building to cover the existing marine way. This work was never done.
- 1-1984-0506, Wrangell Narrows 199: Issued to Fred Paulson on 6/5/85 to "construct a 20' X 80' boat grid using creosote pressure treated timber and pilings to provide a facility to dry dock boats for maintenance and repairs";
- M-1984-0506, Wrangell Narrows 199: Issued on 11/13/85 to "Construct a 20' X 80' boat grid using creosote pressure treated timber and piling and a 20' X 40' log float and 231' floating walkway and ramp to provide a facility to dry dock boats for maintenance and repairs."
- N-1984-0506, Wrangell Narrows 199: Issued on 12/18/87 to "Construct a 170' X 20' marine railway using creosote treated pilings and beams and steel rails, to improve an existing 80' X 20' boat grid."
- O-1984-0506, Wrangell Narrows 199: Issued on 1/4/89 to authorize the "construction of a 24' wide by 170' long piling supported timber dock and a 20' wide by 60' long log float, and the removal of an existing 170' long floating walkway". "The dock will replace a previously permitted but not constructed floating dock at this location, which is no longer authorized." This modification extended the time limit to 1/4/92.
- P-1984-0506, Wrangell Narrows 199: Issued 9/11/97 to "construct the 170' X 20' marine railway and boat haul out utilizing an existing 80' X 20' boat grid which was originally authorized December 18, 1987, but never constructed." The time limit for this work expired 9/11/00.
- All authorizations associated with permit number 1984-0506 are in the process of being transferred to the ownership of Petersburg Shipwrights.

Fill for the proposed project would come from the dredge work (7,000 cy), and from a local commercial source (28,000 cy shot rock, 3,000 cy riprap). The fill would be confined behind a timber-faced, geotextile lined retaining wall, further reinforced by 3 feet of riprap. The dredge work would be done using a barge-supported dredge with a clamshell bucket. The material would either be put on a dredge and floated to shore for placement behind the containment wall, or directly placed from the dredge area to the containment area, depending upon the reach of the equipment arm.

MITIGATION: The applicant has designed the proposed dredge and fill footprints to be as small as economically feasible for his business. The applicant has also designed the fill embankment area behind a timber-faced, geotextile lined retaining wall, reinforced with 3-foot thick riprap.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. *et seq* and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity may adversely affect EFH. The proposed work may affect approximately 2.4 acres of EFH for juvenile/adult salmon and ground fish. This Public Notice initiates consultation requirements with the NMFS under the MSFCMA. We have insufficient information at this time to assess the cumulative effects of the proposed work on EFH, but cumulative effects will be considered in our final assessment of the described work. Any conservation recommendations regarding EFH for federally managed fish will also be considered in our final assessment of the described work. This proposed project may also adversely affect associated species such as major prey or predator species which are not covered by Fishery Management Plans.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The

benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact **Ms. Shannon Hansen** at (907) 753-2720, toll free from within Alaska at (800) 478-2712, or by email at Shannon.r.Hansen@poa02.usace.army.mil, if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

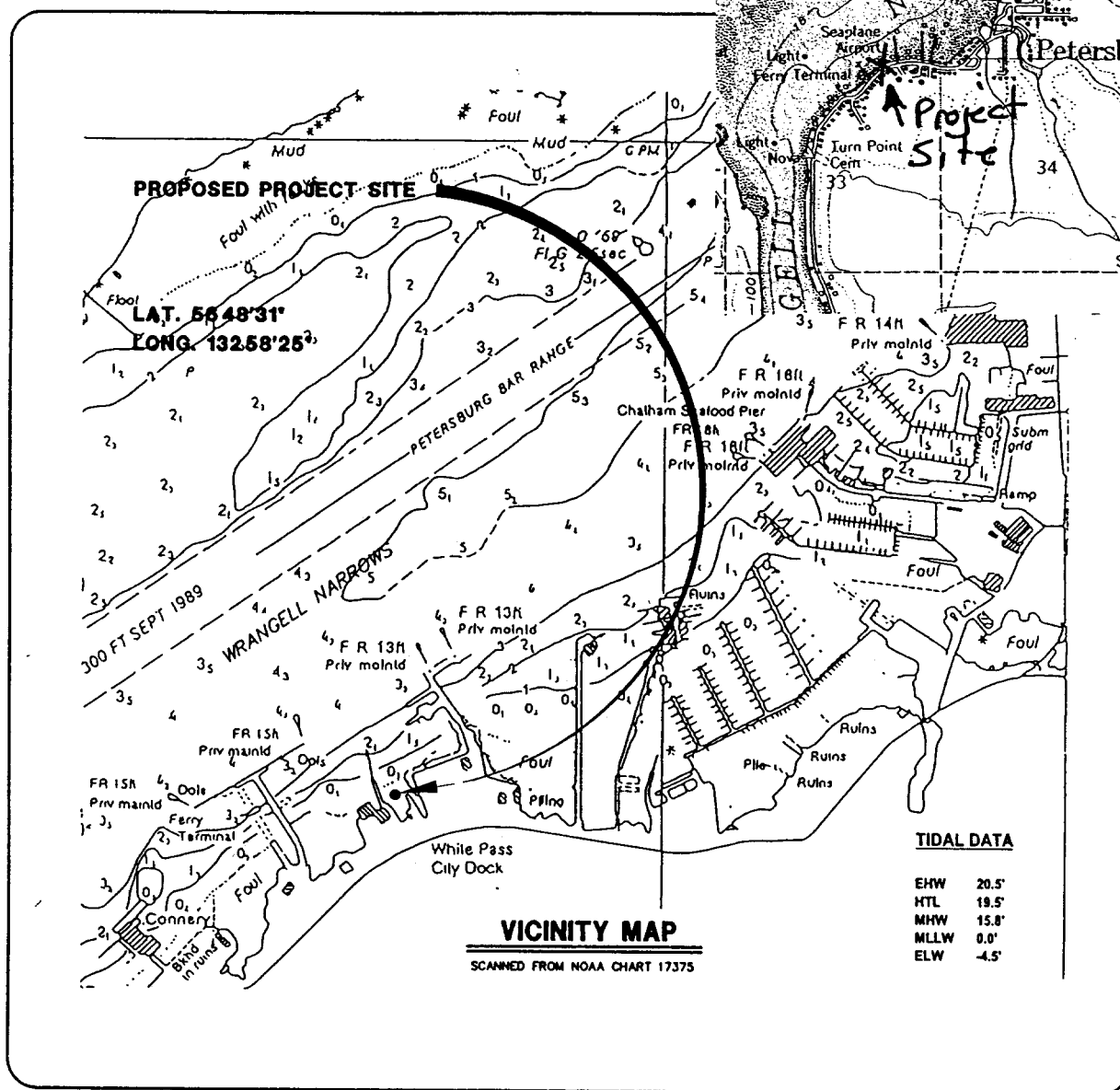
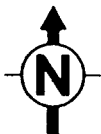
(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments



NOTE: DEPTHS SHOWN ARE IN FATHOMS BELOW MLLW

0-1978-0272
Wrangell Narrows 139

PURPOSE:
TO EXPAND A SHIP REPAIR
OPERATION

DATUM: MLLW = 0.0 FT

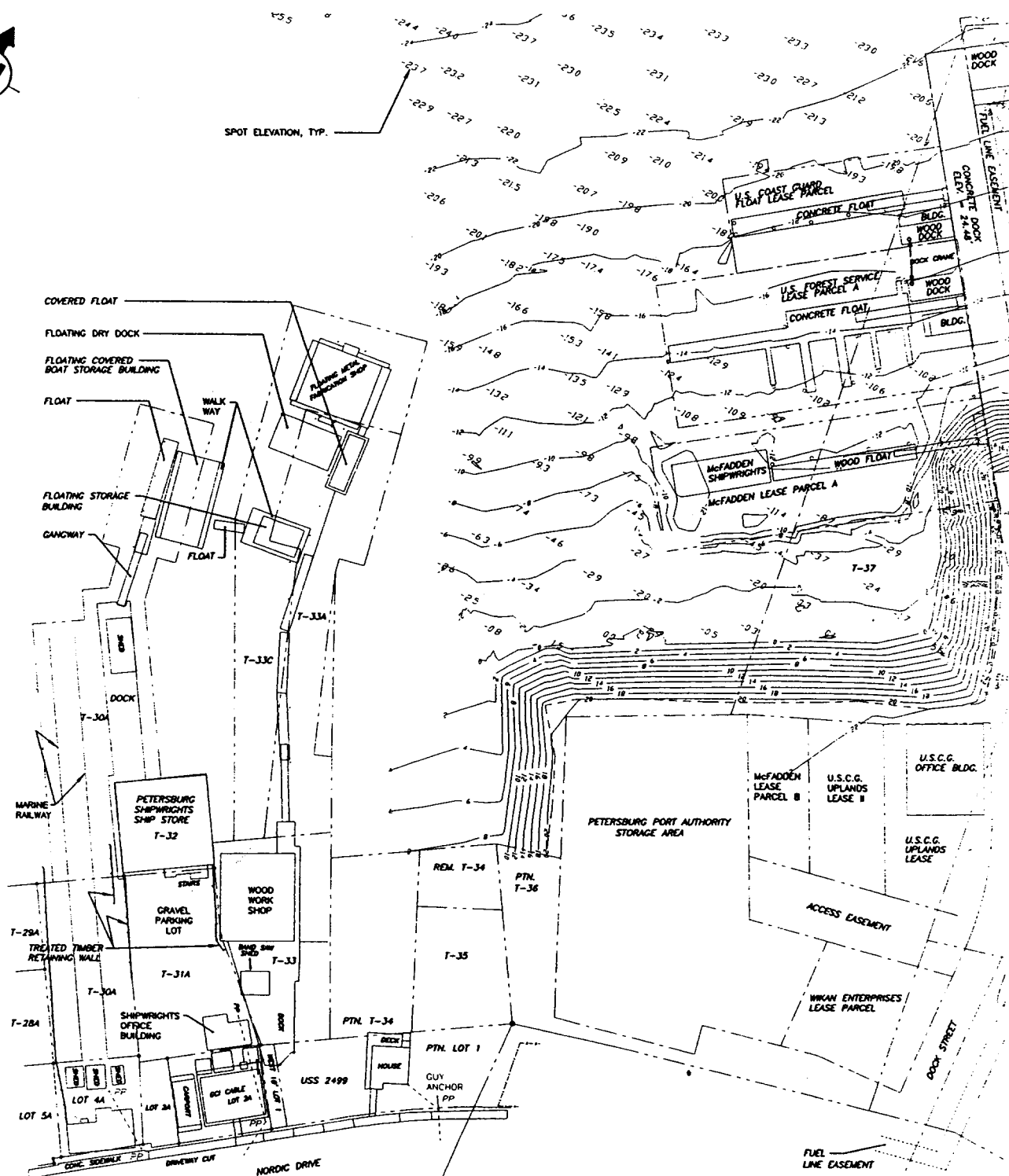
VICINITY MAP

PETERSBURG SHIPWRIGHTS, INC.
1000 S. NORDIC DR.
P.O. BOX 378
PETERSBURG, ALASKA 99833

**PETERSBURG SHIPWRIGHTS, INC.
MARINE HAULOUT FACILITY**

IN: WRANGELL NARROWS
NEAR: SOUTH HARBOR
AT: PETERSBURG, ALASKA
BY: CITY OF PETERSBURG
PN&D PROJECT NO. 02259.00
MAY 2003

SHEET **1** of **5**



0-1978-0272, Wrangell Narrows 139

PURPOSE:
TO EXPAND A SHIP REPAIR
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DATUM: MLLW = 0.0 FT

SITE PLAN OF EXISTING CONDITIONS

SCALE IN FEET

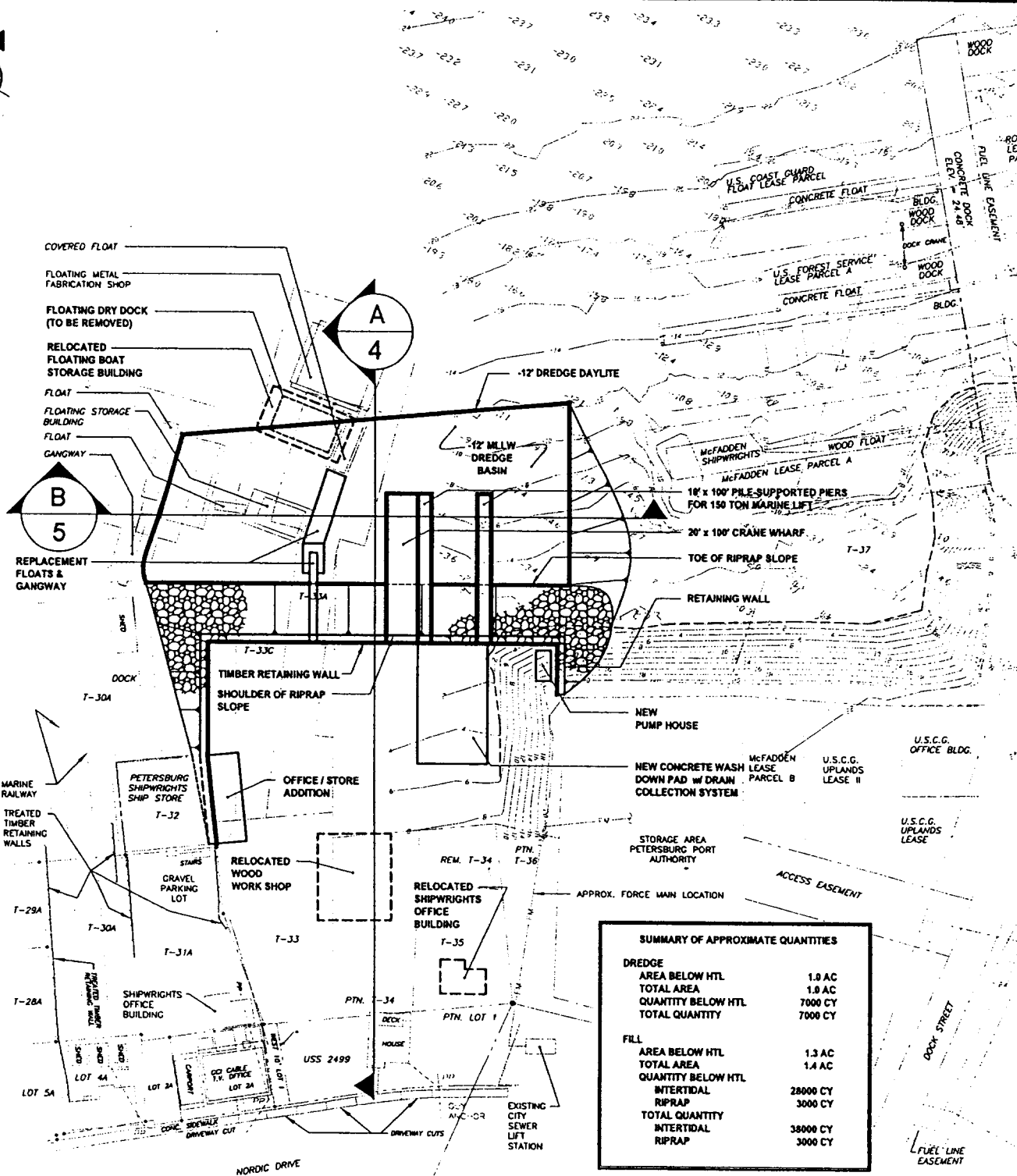


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SHEET 2 of 5



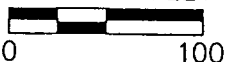
NOTE: DEPTHS SHOWN ARE IN FEET BELOW MLLW

0-1978-0272, Wrangell Narrows 139

PURPOSE:
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PROPOSED IMPROVEMENTS

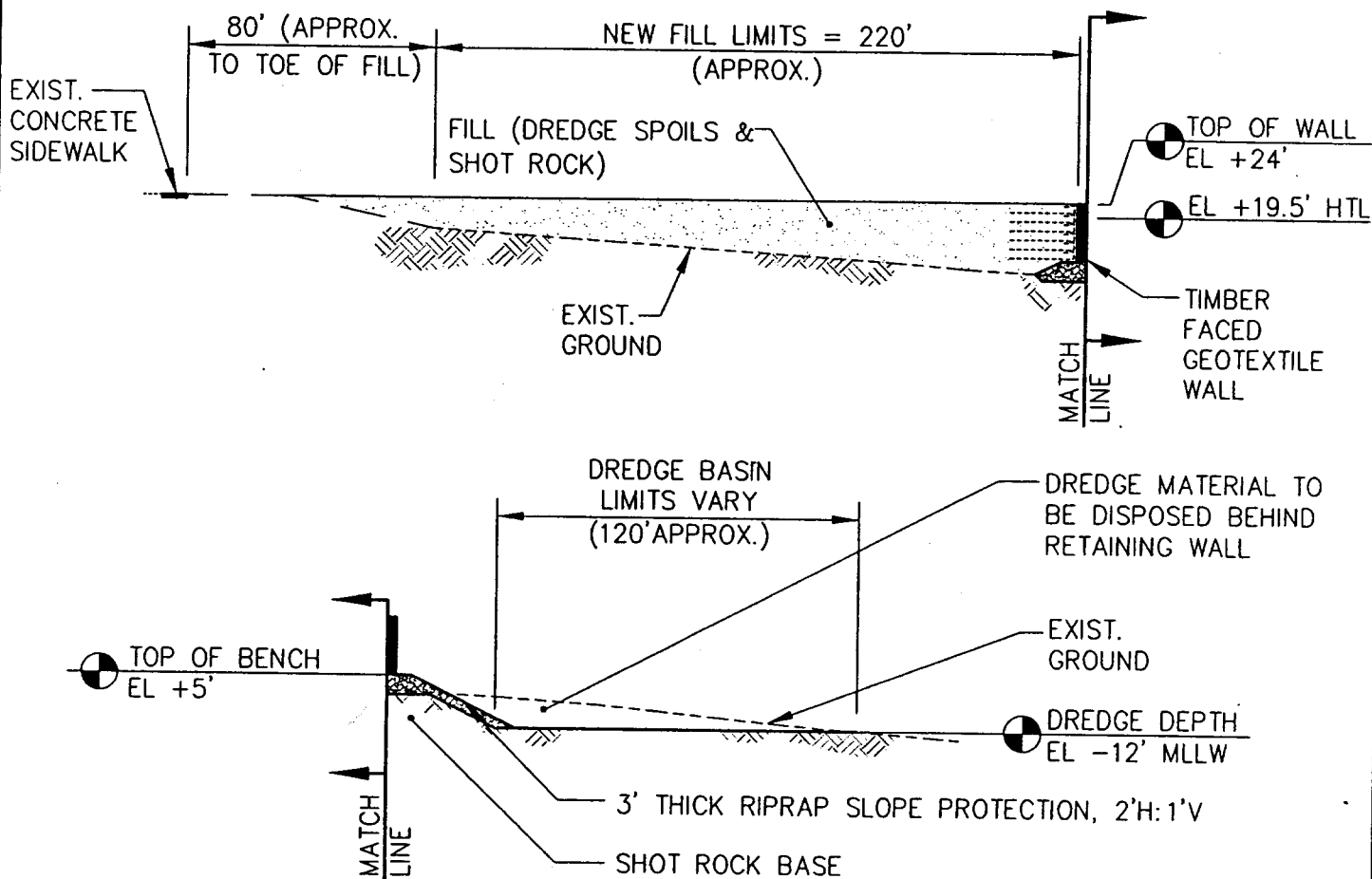
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MAY 2003 SHEET



A
3

**TYPICAL SECTION
RETAINING WALL, FILL AND
DREDGE BASIN**

0-1978-0272, Wrangell Narrows 139

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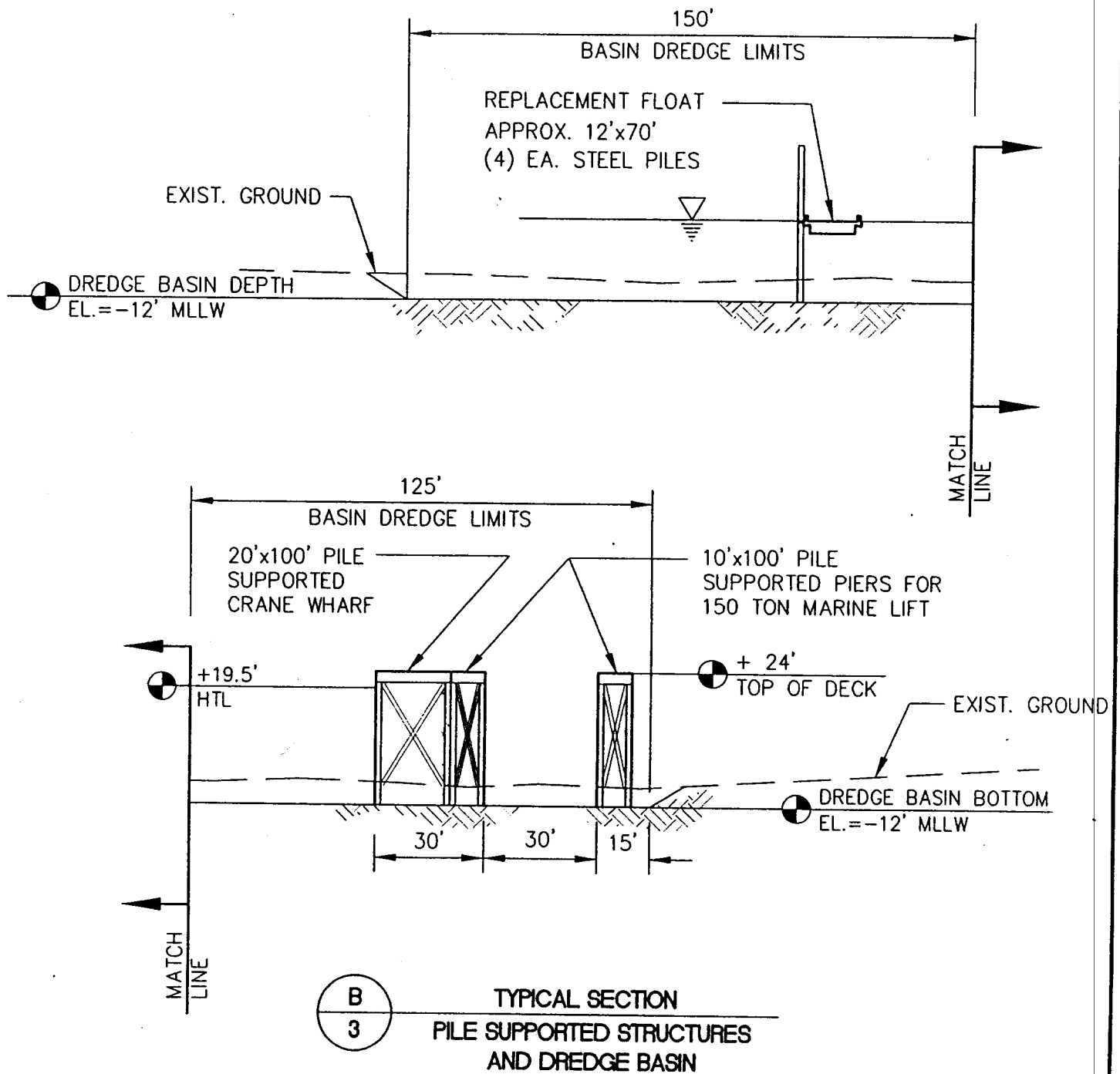
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SHEET **4** of **5**



0-1978-0272, Wrangell Narrows 139

PURPOSE:

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TYPICAL SECTION

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SHEET **5** of **5**

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

**OFFICE OF PROJECT MANAGEMENT AND PERMITTING
ALASKA DEPARTMENT OF NATURAL RESOURCES**

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
302 GOLD STREET, SUITE 202
JUNEAU, ALASKA 99801-1127
PHONE: (907) 465-3562/FAX: (907) 465-3075

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Division of Governmental Coordination for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **O-1978-0272, Wrangell Narrows 139**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Alaska Division of Governmental Coordination. For information about this consistency review, contact DGC at (907) 269-7470 or (907) 465-3562, or visit the DGC web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF AIR AND WATER QUALITY

Non-Point Source Control Section

401 Certification Program

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. O-1978-0272, Wrangell Narrows 139, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
410 Willoughby Avenue
Juneau, Alaska 99801-1795
Telephone: (907) 465-5321
FAX: (907) 465-5274